

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

CHRISTOPHER M. BROOKS

PETITIONER

v.

CAUSE NO. 1:19CV407-LG-RHW

BOBBY FAIRLEY

RESPONDENT

**ORDER ADOPTING REPORT AND RECOMMENDATION, FINDING MOOT
§ 2241 PETITION, AND FINDING MOOT MOTION TO DISMISS**

This cause comes before the Court on the [15] Report and Recommendation of United States Magistrate Judge Robert H. Walker, entered in this cause on April 14, 2020. Petitioner Christopher M. Brooks challenges his pre-trial detention at George County Regional Correctional Facility by means of a 28 U.S.C. § 2241 petition. He alleges that he is being held without an indictment, requests that the charges against him be dropped, and seeks immediate release from custody. Since Brooks filed his Petition, a grand jury returned a “no true bill” on the charges against him. Brooks was released from custody on October 16, 2019. Based on this record, Magistrate Judge Walker recommends that Brooks’ Petition be found moot.

Brooks has not filed an objection to Judge Walker’s Report and Recommendation, and his time for doing so has passed. Therefore, the Court need only review the Report and Recommendation to determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Having reviewed the Report and Recommendation, the record in this case, and relevant law, the Court finds the Magistrate Judge’s conclusions neither clearly erroneous nor contrary to law. Brooks’ Petition is rendered moot by

his release from custody. Respondent's pending [12] Motion to Dismiss is similarly mooted by the mootness of the Petition.

IT IS THEREFORE ORDERED AND ADJUDGED that the [15] Report and Recommendation of United States Magistrate Judge Robert H. Walker entered in this cause on April 14, 2020, should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the petitioner's habeas corpus petition brought pursuant to 28 U.S.C. § 2241 is **DISMISSED AS MOOT** and the respondent's [12] Motion to Dismiss is found **MOOT**.

SO ORDERED AND ADJUDGED this the 30th day of April, 2020.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE